

APPEAL NO. 022122
FILED SEPTEMBER 24, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on July 30, 2002. The hearing officer determined that the appellant's (claimant) _____, compensable injury did not extend to include a right hip sprain and degenerative joint disease, right inguinal hernia, and a right leg injury, and the claimant did not have disability from her compensable injury beginning March 25, 2002, through the date of the CCH. The claimant has appealed these determinations as against the great weight and preponderance of the evidence. The respondent (self-insured) argues that the decision should be affirmed.

DECISION

We affirm the decision.

On _____, the claimant was involved in restraint of a special education student who slapped her face, then fell to the floor and kicked upward at the claimant, striking the right side of her abdomen. The evidence indicated to the hearing officer that the claimant first sought treatment from a chiropractor on January 5, 2002, for right hip pain and thereafter saw other doctors as well. She was found to have a contusion and was later diagnosed with a right inguinal hernia which was repaired on May 1, 2002. The claimant said she stopped working March 25, 2002.

There was conflicting medical and testimonial evidence. The hearing officer is the sole judge of the relevance, materiality, weight, and credibility of the evidence presented at the hearing. Section 410.165(a). The decision should not be set aside because different inferences and conclusions may be drawn upon review, even when the record contains evidence that would lend itself to different inferences. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). In considering all the evidence in the record, we cannot agree that the findings of the hearing officer are so against the great weight and preponderance of the evidence as to be manifestly wrong and unjust. In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951). We affirm the decision and order.

The true corporate name of the self-insured carrier is **(SELF-INSURED)** and the name and address of its registered agent for service of process is

**SUPERINTENDENT
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Susan M. Kelley
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Michael B. McShane
Appeals Judge